

Appln No. 09/833,969

Amdt date August 6, 2004

Reply to Office action of May 28, 2004

REMARKS/ARGUMENTS

Claims 1-28 were pending in the application. Claims 2, 4, 10-12 and 17-26 are withdrawn from consideration. In the Office action mailed May 28, 2004, claims 1, 3, 5-9, 13-16 were rejected under 35 U.S.C. § 102(e) in view of U.S. Patent No. 6,377,810 issued to Geiger et al. ("Geiger"). Claims 27 and 28 were rejected under 35 U.S.C. § 103(a) in view of Geiger. Of the pending claims, claims 1, 3, 5, and 16 are independent claims. Claims 1, 3, 5, 7 and 16 have been amended, and claim 6 has been cancelled. The amended claims read upon the previously elected species.

Claim 1 has been amended to replace the phrase "the program allowing different people different access to the memory based on the identify of the user" to "the program allowing different requesters different access to the memory based on the identity of the requestor." This amendment is not in response to the Office action or the art cited therein, but rather to clarify what was meant by the claim and what was understood by the Examiner and to avoid potential inconsistency in the use of the term "user".

Claim 1 specifies "memory accessible to the server...the memory including data concerning the location of the mobile communication device and data concerning establishment of communication with the mobile communication device". The Office action points to Geiger at col. 2, lines 38-44 and col. 4, lines 40-44 for this aspect of claim 1 at the indicated portions of col. 2, Geiger appears to indicate that "the location server 21 maintains location information for each individual mobile user i.e., it maintains a table correlating device or user

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identification numbers with location information." Geiger, col. 2, lines 41-44. It does not appear that the indicated portion of column 2 discloses or suggests the memory storing data concerning establishment of communication with the mobile communication device. The indicated portion of column 4 appears to indicate that "new location information for the mobile device 15 (and other mobile devices) is continuously received and updated in steps 51 and 52". Geiger, col. 4, lines 42-44. Again, it appears that the indicated portion of Geiger in col. 4 does not disclose or suggest the memory storing data concerning establishment of communication with the mobile communication device.

Accordingly, it appears that claim 1 is allowable in view of Geiger.

Claim 3 is amended to correct a typographical error, namely changing "use-specific space" to "user-specific space".

Claim 3 specifies "storing data indicative of the location of the user in the user-specific space." Claim 3 also specifies "receiving additional data regarding the user; storing the additional data regarding the user in the user-specific space."

The Office action states that "regarding claim 3, the claim is interpreted and rejected for the same reason as set forth in claim 1." Office action, page 3. While it is respectfully submitted that claim 3 has a varying scope when compared to claim 1, it is sufficient to note that it does not appear that Geiger discloses "storing the additional data regarding the user in the user-specific space." Accordingly, claim 3 is allowable in view of Geiger.

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Claim 5 has been amended to largely incorporate the text of claim 6. Claim 5, as amended, specifies "update a user specific data space with a current location and the unique identifier associated with the PCD". Claim 5, as amended, also specifies "wherein the application server is further configured to store information concerning an individual associated with the PCD in the user specific data space."

In rejecting claims 6 and 7, the Office action points to col. 2, lines 41-44 of Geiger. As previously indicated, it appears that the indicated portions of col. 2 of Geiger discusses maintaining a table correlating device or user identification numbers with location information. However, it does not appear that Geiger discloses or suggests "to update a user specific data space with a current location and the unique identifier associated with the PCD,...wherein the application server is further configured to store information concerning an individual associated with the PCD in the user-specific data space.

Accordingly, claim 5 is allowable in view of Geiger. Claims 7-8, 13-15 and 27-28, dependent ultimately on claim 5, are also therefore allowable.

In the Office action, claim 16 is interpreted and rejected for the same reason as set forth in claim 5. Office action, page 8. It is respectfully submitted that claim 16 has a varying scope when compared to prior claim 6.

Claim 16 has been amended to eliminate reference to security levels, which appears appropriate in view of the restriction requirement. Claim 16 has also been amended to correct typographical errors and to more clearly indicate that

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public users may "interrogate the user specific storage space for a location of an individual and for information pertaining to the individual". As indicated above, Geiger does not allow public users to interrogate the user specific storage space for a location of an individual and for information pertaining to the individual. As such, it appears that Geiger merely allows for information regarding a location of an individual.

Accordingly, claim 16 is allowable.

As the non-withdrawn claims pending in the application are allowable, allowance of same is respectfully requested.

In addition, a Supplemental Information Disclosure Statement (IDS) was filed by Express Mail on August 22, 2002. A copy of the IDS, the accompanying Substitute Form 1449, Express Mail mailing label, and return receipt postcard are attached hereto.

It is respectfully requested that the listed references be considered in the examination of this application and identified on the list of references cited on the patent issuing for this application. Applicant also requests that an initialed copy of FORM PTO/SB/08A/B be entered in the application file and returned to applicant with the next communication from the Office in accordance with MPEP § 609.

Respectfully submitted,

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